REMARKS

1.) Examiner Rejections – 35 U.S.C. § 112

Claims 1 and 16 stand rejected under 35 U.S.C. § 112, second paragraph "as being incomplete for omitting essential elements, such omission amounting to a gap between the elements." In response, Applicants respectfully disagree with the Examiner as further discussed. Turning to Examiner's suggestion, Applicants respectfully submit that it is not necessary to further include the following limitations in claims 1 and 16 so as to make such claims complete: (1) the reference having a frequency of 8 KHz and (2) wherein the media stream board receives and compresses groups of 160 PCM speech samples into 20 ms vocoded frames of compressed speech data. As indicated in claims 1 and 16, each processor board has a timer that obviously has a time associated therewith, for example, T1. After the such processor board has received a timing cell having time information therein such as T2, the processor board can determine whether its local timer has drifted outside of a predetermined time window, for example, by realizing a time value difference between T1 and T2 and then comparing such difference with the predetermined value associated with the time window. Accordingly, there is no need to add any additional elements to claims 1 and 16 so as to make them complete.

2.) Claim Rejections – 35 U.S.C. § 102

Claims 1, 6, 10-11, 13-16 and 21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,305,308 issued to English et al. (hereinafter "English"). To support such rejection, English must disclose every element of the invention as claimed. More particularly, "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). With the above requirement

in mind, Applicant respectfully submits that English fails to disclose every element of the invention as specified in each independent claim.

Turning to the rejection of independent claim 1, the Examiner relies on English to disclose the present inventive base station controller (BSC) having (a) a plurality of processor boards and (b) a timing unit. More specifically, on page 3 of the Office Action the Examiner indicates that the combination of digital cellular switch 201 and cell 202 illustrated in Figure 2 of English is equivalent to the present inventive BSC. The Examiner further points out that speech processing unit (SPU) 264 depicted in Figures 5 and 6 of English is equivalent to the claimed processor boards. Lastly, the Examiner specifies that protocol 350 illustrated in Figure 9 of English as being equivalent to the claimed timing unit. Applicants respectfully submit that the Examiner's reliance on English to reject claim 1 is improper based on the following discussion.

Applicants disagree with the Examiner that the combination of digital cellular switch 201 and cell 202 is equivalent to a BSC. As illustrated in Figure 1 of the present patent application, a CDMA network comprises a mobile switching center and a BSC. If anything, the digital cellular switch 201 should be equivalent to the mobile switching center. *See, e.g., English, column 7, lines 47-49.* Thus, perhaps cell 202 by itself is equivalent to the BSC. Assuming *arguendo* that cell 202 is similar to a BSC, such cell 202 does **not** include SPU 264 with which the Examiner has alleged that it is equivalent to the claimed processor boards. Even assuming *arguendo* that the Examiner's allegation is correct, such SPU 264 is a part of a speech coding module 220 that in turn is located within the digital cellular switch 201. *See English, Figures 2 and 5-6.* Thus, cell 202 fails to include the claimed processor boards. Furthermore, cell 202 also fails to include the claimed timing unit. For this claim limitation, the Examiner relies on protocol 350, which is a part of a frame. *See, e.g., English, column 12, lines 34-38.* A protocol or frame is clearly **not** equivalent to the claimed timing unit. *See, e.g., Application, Figure 4 and its respective description.* Thus, cell 202 also fails to include the claimed timing unit. Without the claimed processor boards and timing unit, cell 202 of English would not be able to perform timing realignment if its local time has drifted.

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Accordingly, claim 1 is not anticipated by and is patentably distinguishable over English, which fails to disclose every element of the present inventive BSC as discussed above.

Regarding claims 6, 10-11 and 13-15, they depend from independent claim 1, which is believed to be patentable, and thus their rejection is moot.

Regarding independent claim 16, it contains limitations that are similar to those of claim 1 and thus claim 16 is also not anticipated by and is believed to be patentably distinguishable over English for reasons similar to those discussed above regarding claim 1.

Regarding claim 21, it depend from independent claim 16, which is believed to be patentable, and thus its rejection is moot.

3.) Claim Rejections – 35 U.S.C. § 103

Claims 3-5, 7, 18-20 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over English in view of U.S. Patent Application Publication No. 20030138081 listing Li as the sole inventor (hereinafter "Li").

Regarding claims 3-5 and 7, they depend from independent claim 1, which is believed to be patentable, and thus claims 3-5 and 7 should also be non-obvious and patentably distinguishable over English in view of Li. *MPEP 2143.03.*

Regarding claims 18-20 and 22, they depend from independent claim 16, which is believed to be patentable, and thus claims 18-20 and 22 should also be non-obvious and patentably distinguishable over English in view of Li. *MPEP 2143.03.*

Claims 8-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over English in view of U.S. Patent No. 6,243,372 issued to Petch et al. (hereinafter "Petch"). Both claims 8-9 depend from independent claim 1, which is believed to be patentable, and thus claims 8-9 should also be non-obvious and patentably distinguishable over English in view of Petch. *MPEP 2143.03.*

4.) Allowable Subject Matter

Applicants appreciate Examiner's indication that claims 2, 12 and 17 contain allowable subject matter.

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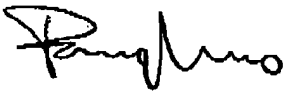
CONCLUSION

Claims 1-22 are presently standing in this patent application. In view of the foregoing remarks, each and every point raised in the Office Action mailed on October 1, 2004 has been addressed on the basis of the above remarks. Applicants believe all of the claims currently pending in this patent application to be in a condition for allowance. Reconsideration and withdrawal of the rejections are respectfully requested. However, should the Examiner believe that direct contact with Applicants' attorney would advance the prosecution of the application, the Examiner is invited to telephone the undersigned at the number given below.

Respectfully submitted,



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